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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA (LAS VEGAS)**

PAUL LEWIS BROWNING,

Plaintiff,

v.

LAS VEGAS METROPOLITAN  
POLICE DEPARTMENT *et al.*,

Defendants.

Case No. 2:20-CV-01381 KJD-VCF

**Stipulation to Extend Time to Serve  
Defendants**

Hon. Kent J. Dawson  
Hon. Cam Ferenbach, Mag.

**BACKGROUND**

1. Plaintiff filed this civil rights lawsuit on July 24, 2020 naming as defendants the Las Vegas Metropolitan Police Department and a number of Las Vegas Metropolitan Police Department employees and officers Dkt. 1.

1           2.     Pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff was obligated  
2 to serve the named defendants within 90 days of initiating the lawsuit.

3           3.     Plaintiff has been diligent in seeking service of the Defendants, including  
4 by reaching out to defense counsel for LVMPD and some of the defendants before  
5 counsel even filed an appearance in the case.

6           4.     To date, Defendants Las Vegas Metropolitan Department, Horn,  
7 Radcliffe, Jergovic, Branon, Jolley, Bunker, and Leonard have been timely served.  
8 ECF 23.

9           5.     Plaintiff has tried extensively to serve Defendants Curt Albert and Gary  
10 Caldwell, including reaching contacts for them in multiple States in the United States,  
11 including in Nevada, North Carolina, and Utah. Process servers are actively seeking  
12 locate and serve Defendant Albert in Utah (who Plaintiff now believes is in Cedar  
13 City after failing to locate him in Henderson, NV and in Panguitch, UT). Process  
14 servers are also actively seeking to locate and serve Defendant Caldwell who  
15 Plaintiff believes has relocated to Illinois (after failing to locate him in Nevada and  
16 then in North Carolina). Additionally, Plaintiff has been unable to locate Defendant  
17 Thornton.

18           6.     Upon information and belief, Defendants Conner, Levos, Oren, Rosen,  
19 and Robertson are deceased. Plaintiff requires additional time to evaluate the best  
20 method for serving the deceased Defendants under Nevada Law, including by  
21

1 investigating whether these Defendants have Estate's or other entities that should be  
2 named in their stead.

3 7. Despite Plaintiff's diligent efforts, Plaintiff requires an additional sixty  
4 days to complete service so that he may (a) continue to investigate contact  
5 information for the defendants; and (b) investigate whether the (apparently) deceased  
6 defendants have open estates and determine whether to file a motion to appoint a  
7 special representative to defend the case on the deceased defendants' behalf.

8 8. In addition, the coronavirus outbreak and the resulting shelter-in-place  
9 orders for some Nevada communities limit Plaintiff's ability to effect service in the  
10 near future.

11 **STIPULATION**

12 Accordingly, Plaintiff Paul Lewis Browning and Defendants Las Vegas  
13 Metropolitan Police Department, Horn, Radcliffe, Jergovic, Branon, Jolley, Bunker,  
14 and Leonard through counsel, hereby stipulate as follows:

15 1. The time for Plaintiff to serve all defendants who have not yet been  
16 served under Fed. R. Civ. P. 4(m) shall be extended up to and including December 13,  
17 2020.

18 Dated: October 20, 2020

Respectfully submitted,

19 **Loevy & Loevy**

20 By: s/ David B. Owens  
Attorney for Plaintiff Paul Browning  
21

**Marquis Aurbach Coffing**

By: s/ Craig R. Anderson

Bar No: 6882

Attorney for Defendants and Defendants  
Las Vegas Metropolitan Police  
Department, Horn, Radcliffe, Branon,  
Jolley, Bunker, and Leonard

**CERTIFICATE OF SERVICE**

I, David B. Owens, an attorney, hereby certify that on October 20, 2020, I filed the foregoing document using the Court's CM/ECF system, which effected service on all counsel of record.

s/ David B. Owens

Attorney for Plaintiff Paul Browning

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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA (LAS VEGAS)	
PAUL LEWIS BROWNING,  Plaintiff,  v.  LAS VEGAS METROPOLITAN POLICE DEPARTMENT <i>et al.</i> ,  Defendants.	Case No. 2:20-CV-01381 -KJD-VCF  <b>Order Entering Stipulation to Extend Time to Serve Defendants</b>  Hon. Kent J. Dawson Hon. Cam Ferenbach

Having reviewed the parties' Stipulation to Extend Time to Serve Defendants, and good cause appearing therefore, it is hereby ORDERED:

1. Pursuant to Federal Rule of Civil Procedure 4(m), the time for Plaintiff to serve all defendants who have not yet been served is hereby extended to and including December 13, 2020.

Dated: October 23, 2020

Cam Ferenbach  
 United States Magistrate Judge